

Prepared by: RETURN:
City Attorney's Office
200 N.W. 1st Avenue
Delray Beach, Florida 33444

PCN: 12-42-46-24-27-001-0000
Address: 4575 Linton Blvd., Delray Beach, Florida

SEWER EASEMENT DEED

THIS INDENTURE, made this ____ day of _____, 2022 by and between **CARON OF FLORIDA, INC.**, a Florida non-profit corporation, with a mailing address of PO BOX 150, Wernersville, PA 19565, Grantor, and the **CITY OF DELRAY BEACH**, with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, a municipal corporation in Palm Beach County, State of Florida, Grantee:

WITNESSETH: That the Grantor, for and in consideration of the mutual promises herein contained and other good and valuable considerations, does hereby grant, bargain, sell and release unto the Grantee, its successors and assigns, a perpetual exclusive easement for the purpose of the construction, operation, repair, replacement, and maintenance of a sewer main, to be constructed and installed by the Grantor, with full and free right, liberty, and authority to enter upon and to construct, operate, repair, replace and maintain such sewer main across, through and upon, over, under or within the following described property located in Palm Beach County, Florida, to-wit:

DESCRIPTION

See Exhibit "A"

Concomitant and coextensive with this right is the further right in Grantee, its successors and assigns, of ingress and egress over and on that portion of land described above, to affect the purposes of the easement, as expressed hereinafter.

That this easement shall be subject only to those easements, restrictions, and reservations of record. That the Grantor agrees to provide for the release or subordination of any and all mortgages or liens encumbering this easement. The Grantor also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

It is understood that upon completion of such construction, all lands disturbed thereby as a result of such construction performed thereon, will be restored to its original or like condition without expense to the property owner.

Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good

right and lawful authority to grant the above-described easement and that the same is unencumbered except as provided above. Where the context of this Easement Deed allows or permits, the same shall include the successors or assigns of the parties.

The parties acknowledge and agree that the Grantor is obligated to construct and install the water line in accordance with City specifications. The Grantor shall enter into an agreement in a form acceptable to the City providing for the transfer and conveyance of the water line and any related improvements by bill of sale to the City no later than the issuance of the final Certificate of Occupancy of the adjacent project and upon demonstration to the written satisfaction of the City Engineer that the water line and related improvements have been constructed in accordance with City specifications. It is agreed that the bill of sale shall be a condition of the final Certificate of Occupancy.

IN WITNESS WHEREOF, the parties to this Easement Deed set their hands and seals the day and year first above written.

WITNESSES:

[Signature]
Signature
Mike Farr
Print Name

[Signature]
Signature
Bindu Patel
Print Name

GRANTOR/CARON OF FLORIDA, INC.

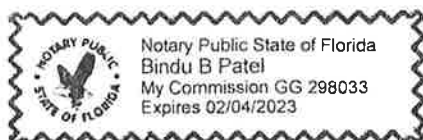
By: [Signature]
Name: Jennifer Savarese Farr
Its: Corporate Secretary
Date: 11-18-22

STATE OF Florida
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of November, 2022 by Jennifer Savarese Farr (name of person), as Corp Secretary (type of authority) for Caron of Florida, Inc. (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification X
Type of Identification Produced FL Driver License

[Signature]
Notary Public – State of Florida



ATTEST:

**GRANTEE/ CITY OF DELRAY BEACH,
FLORIDA**

By: _____
City Clerk

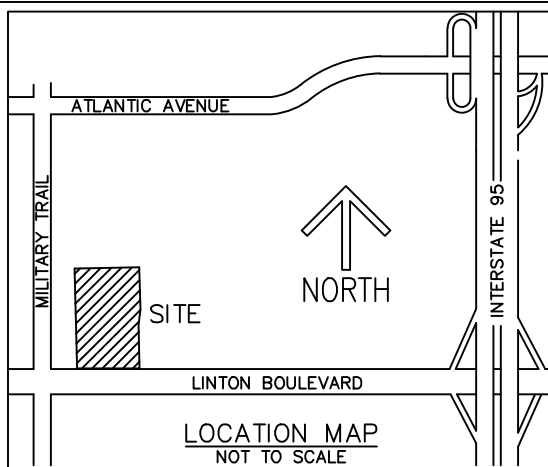
By: _____
Shelly Petrolia, Mayor

Approved as to Form:

By: _____
City Attorney

EXHIBIT A

EXHIBIT "A"



DESCRIPTION:

A STRIP OF LAND 12.00 FOOT IN WIDTH BEING A PORTION OF TRACT 1, DELRAY MEDICAL PARCEL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGES 187 THRU 191, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 1, DELRAY MEDICAL PARCEL; THENCE NORTH 88°32'18" EAST ON THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 41.03 FEET TO A POINT ON THE SIDELINE OF A 12.00 FOOT WIDE UTILITY EASEMENT AS SHOWN ON DELRAY OUTPATIENT PROPERTIES PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 99, PAGES 197 THRU 201, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, NOW BEING A PORTION OF SAID DELRAY MEDICAL PARCEL; THENCE SOUTH 01°27'42" EAST ON SAID SIDELINE, A DISTANCE OF 4.02 FEET TO POINT OF BEGINNING; THENCE NORTH 88°23'58" EAST, A DISTANCE OF 142.38 FEET; THENCE SOUTH 89°46'21" EAST, A DISTANCE OF 31.16 FEET; THENCE SOUTH 00°13'39" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 89°46'21" WEST, A DISTANCE OF 30.97 FEET; THENCE SOUTH 88°23'58" WEST, A DISTANCE OF 142.22 FEET; THENCE NORTH 01°27'42" WEST, A DISTANCE OF 12.00 FEET TO POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, CONTAINING 2,080.38 SQUARE FEET OR 0.0478 ACRES, MORE OR LESS.

NOTES:

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL OF THE FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 01°27'42" WEST, ALONG WEST LINE OF TRACT 1, DELRAY MEDICAL PARCEL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGES 187 THRU 191, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
3. THE "LAND DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
4. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
5. RECORDING INFORMATION SHOWN HEREON IS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER 06, 2022. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

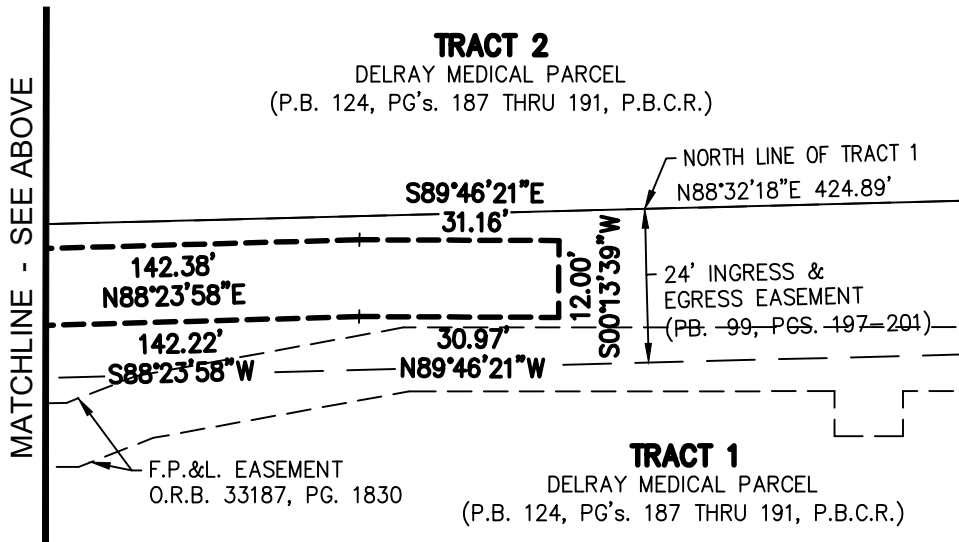
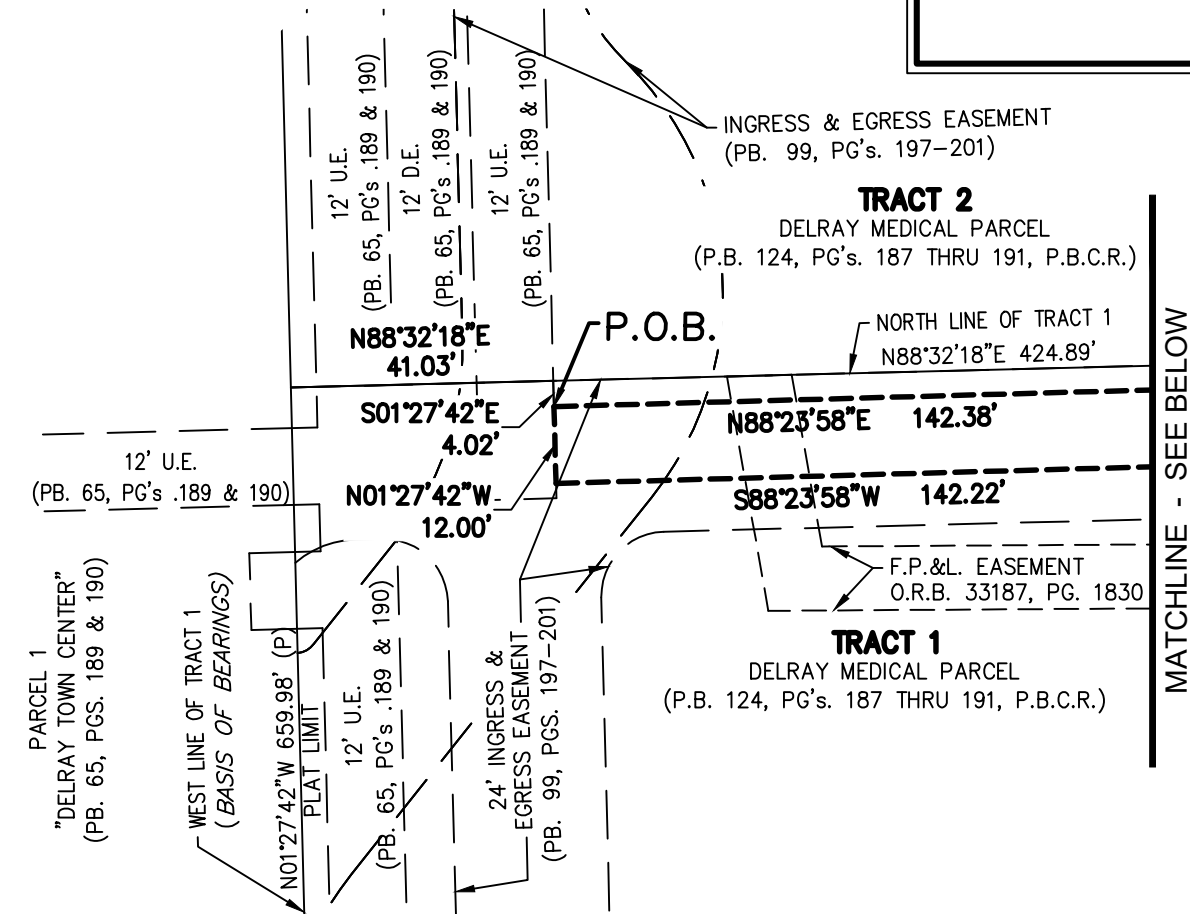
PHONE (561)-392-1991 / FAX (561)-750-1452

**DELRAY MEDICAL PLAZA
SEWER EASEMENT
SKETCH AND DESCRIPTION**

JEFFREY R. WAGNER
REGISTERED LAND
SURVEYOR NO. 5302
STATE OF FLORIDA
L.B. 3591

| | |
|-----------|----------------|
| DATE | 9/6/22 |
| DRAWN BY | GC |
| F.B./ PG. | N/A |
| SCALE | NONE |
| JOB NO. | 4144 SEWR ESMT |

EXHIBIT "A"



LEGEND:

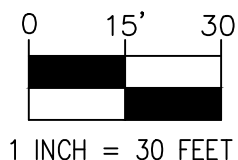
- L.B. LICENSES BUSINESS
- (P) - PLAT
- PB. - PLAT BOOK
- PG's. - PAGES
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- D.E. - DRAINAGE EASEMENT
- F.P.&L. - FLORIDA POWER & LIGHT
- U.E. - UTILITY EASEMENT
- R/W - RIGHT-OF-WAY
- P.B.C.R. - PALM BEACH COUNTY RECORDS
- O.R.B. - OFFICIAL RECORDS BOOK

THIS IS NOT A SURVEY

SHEET 2 OF 2



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



**DELRAY MEDICAL PLAZA
 SEWER EASEMENT
 SKETCH AND DESCRIPTION**

| | |
|-----------|----------------|
| DATE | 9/6/22 |
| DRAWN BY | GC |
| F.B./ PG. | N/A |
| SCALE | 1"=30' |
| JOB NO. | 4144 SEWR ESMT |